

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF PIERCE

GLORIA P. WILSON,

Plaintiff,

vs.

PETCO HEALTH AND WELLNESS
COMPANY, INC., a foreign corporation,
PETCO ANIMAL SUPPLIES, INC., a
foreign corporation, and PETCO ANIMAL
SUPPLIES STORES, INC., a foreign
corporation,

Defendants.

NO. 23-2-07454-3

SUMMONS

TO THE DEFENDANTS ABOVE NAMED:

A lawsuit has been started against you in the above-entitled court by the above-named plaintiff(s). Plaintiff(s)'s claims are stated in the written complaint, a copy of which is served upon you with this Summons.

In order to defend against this lawsuit, you must respond to the complaint by stating your defense in writing, and serve a copy upon the person signing this summons within 20 days after the service of this summons, if served within the State of Washington, and 60 days if served outside the State of Washington, excluding the day of service, or a default judgment may

1 be entered against you without notice. A default judgment is one where plaintiffs are entitled to
2 what they ask for because you have not responded. If you serve a notice of appearance on the
3 undersigned person, you are entitled to notice before a default judgment may be entered.

4 You may demand that the plaintiff(s) file this lawsuit with the court. If you do so, the
5 demand must be in writing and must be served upon the person signing this summons. Within
6 14 days after you serve the demand, the plaintiff(s) must file this lawsuit with the court, or the
7 service on you of this summons and complaint will be void.

8 If you wish to seek the advice of an attorney in this matter, you should do so promptly
9 so that your written response, if any, may be served on time.

10 This summons is issued pursuant to Rule 4 of the Superior Court Civil Rules of the State
11 of Washington.

12
13 DATED this 13th day of June, 2023.

14
15 ANDERSON LAW, PLLC

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17 
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19 JOSHUA D. ANDERSON, WSBA #40580
20 THOMAS J. KLUSMEYER, WSBA #12363
21 DAVID D. GLINDMEYER, WSBA #51286
22 Of Attorneys for Plaintiff
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25

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF PIERCE

GLORIA P. WILSON,

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vs.

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COMPANY, INC., a foreign corporation,
PETCO ANIMAL SUPPLIES, INC., a
foreign corporation, and PETCO ANIMAL
SUPPLIES STORES, INC., a foreign
corporation,

Defendants.

NO. 23-2-07454-3

COMPLAINT

COMES NOW the plaintiff, by and through her attorneys of record, Anderson Law,
PLLC, and for cause of action against the above-named defendants, complains and alleges as
follows:

I. PARTIES, JURISDICTION, AND VENUE

1.1 At all times relevant, plaintiff was a resident of King County, Washington.

1.2 At all times relevant, Defendant Petco Health and Wellness Company, Inc. was a foreign corporation doing business in Pierce County, Washington and was licensed to do business in the State of Washington.

1.3 At all times relevant, Defendant Petco Animal Supplies, Inc. was a foreign corporation doing business in Pierce County, Washington and was licensed to do business in the State of Washington.

1.4 At all times relevant, Defendant Petco Animal Supplies Stores, Inc. was a foreign corporation doing business in Pierce County, Washington and was licensed to do business in the State of Washington.

1.5 All acts complained of herein occurred in Pierce County, Washington.

1.6 Jurisdiction and venue are properly found in Pierce County Superior Court.

II. FACTS

2.1 On or about March 11, 2022, plaintiff was a business visitor/public invitee on defendant's premises located at 9311 192nd Ave E in Bonney Lake, Washington. Plaintiff fell on the premises owned, managed, and maintained by defendants and sustained personal injuries.

III. DUTY, BREACH, AND PROXIMATE CAUSE

3.1 At the time of the incident complained of herein, defendants owed duties of care to plaintiff. These duties included, but were not limited to, a duty to protect plaintiff from known or obvious dangers; a duty to exercise ordinary care to maintain in a reasonably safe condition those portions of the premises that plaintiff was expressly or impliedly invited to use or might reasonably be expected to use; a duty to exercise reasonable care with respect to conditions on the premises which pose an unreasonable risk of harm; a duty to warn plaintiff of such dangerous conditions; and a duty to maintain the premises to substantially

1 comply with any applicable code, statute, ordinance, or regulation governing their
2 maintenance or operation.

3 3.2 Defendants breached these duties of care.

4 3.3 Defendants' breaches of their duties proximately caused plaintiff's injuries and
5 damages.

6 3.4 At the time of the incident complained of herein, plaintiff acted reasonably and
7 exercised ordinary care. Accordingly, plaintiff was not comparatively "at fault" for the
8 incident or for the injuries and damages that resulted therefrom.

9 3.5 Defendants are the only "at fault" persons or entities, as that term is defined in
10 RCW 4.22.015, for the incident. There is no non-party person or entity who is at fault for the
11 incident. Therefore, defendants are 100% liable for plaintiff's injuries and damages.

12 **IV. DAMAGES**

13 4.1 As a direct and proximate result of defendants' negligence, plaintiff suffered, and
14 will continue to suffer, economic and non-economic damages.

15 4.2 Plaintiff's injuries and damages are progressive and ongoing.

16 WHEREFORE, plaintiff prays for judgment to be entered against the defendants herein,
17 and each of them jointly and severally, for such amounts as will reasonably and justly
18 compensate plaintiff for economic and non-economic damages, together with costs, pre-
19 judgment interest, reasonable attorney fees, and for such other and further relief as the Court
20 deems just and proper.
21
22
23 /
24 //
25

1 DATED this 13th day of June, 2023.

2 ANDERSON LAW, PLLC

3 

4
5 JOSHUA D. ANDERSON, WSBA #40580
6 THOMAS J. KLUSMEYER, WSBA #12363
7 DAVID D. GLINDMEYER, WSBA #51286
8 Of Attorneys for Plaintiff
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IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF PIERCE

GLORIA P. WILSON,

Plaintiff,

vs.

PETCO HEALTH AND WELLNESS
COMPANY, INC., a foreign corporation,
PETCO ANIMAL SUPPLIES, INC., a
foreign corporation, and PETCO ANIMAL
SUPPLIES STORES, INC., a foreign
corporation,

Defendants.

NO. 23-2-07454-3

PLAINTIFF'S INTERROGATORIES
TO DEFENDANTS

TO: Defendants

YOU ARE HEREBY REQUESTED, pursuant to PCLSCCAR 4.2(b), within 40 days
from the date of service upon you, to answer the following Interrogatories:

- (1) List the name, address and phone number of each person having knowledge of any
facts regarding liability.

ANSWER:

1 (2) List the name, address and phone number of each person having knowledge of any
2 facts regarding the damages claimed.

3 ANSWER:
4
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7 (3) List the name, address and phone number of each expert witness you intend to call
8 at the arbitration. For each such expert, state the subject matter on which the expert is
9 expected to testify; state the substance of the facts and opinions to which the expert is
10 expected to testify, and a summary of the grounds for each opinion.

11 ANSWER:
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16 DATED this 13th day of June, 2023.
17

18 ANDERSON LAW, PLLC

19
20 

21 JOSHUA D. ANDERSON, WSBA #40580
22 THOMAS J. KLUSMEYER, WSBA #12363
23 DAVID D. GLINDMEYER, WSBA #51286
24 Of Attorneys for Plaintiff

1 ANSWERS DATED this _____ day of _____, 2023.

2
3
4 Defendant Pro Se or Defendant's Attorney
5 WSBA No. _____

6 Typed Name: _____
7 Address: _____
8 _____

9
10 **DECLARATION OF RESPONDING PARTY**

11 I declare under the penalty of perjury under the laws of the State of Washington that I am
12 the Defendant in this action OR I am the _____ of
13 _____ and am authorized to make the foregoing answers. I
14 declare that I have read the foregoing answers, know the contents thereof, and believe them to be
15 true and correct.

16 Dated this _____ day of _____, _____ at _____,
17 Washington.

18
19
20 Defendant

21 Typed Name: _____
22 Address: _____
23 _____
24

E-FILED
IN COUNTY CLERK'S OFFICE
PIERCE COUNTY, WASHINGTON

**IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR PIERCE COUNTY**

June 14 2023 9:51 AM

CONSTANCE R. WHITE
COUNTY CLERK
NO: 23-2-07454-3

GLORIA P. WILSON

Plaintiff(s)

Vs.

PETCO HEALTH AND WELLNESS COMPANY INC.

Defendant(s)

No. 23-2-07454-3

ORDER SETTING CASE SCHEDULE

Type of case: PIN

Estimated Trial (days):

Track Assignment: Standard

Assignment Department: 11

Docket Code: **ORSCS**

Confirmation of Service - All Parties Served	7/12/2023
Confirmation of Joinder of Parties, Claims and Defenses	10/11/2023
Jury Demand	10/18/2023
Plaintiff's/Petitioner's Disclosure of Primary Witnesses	12/6/2023
Defendant's/Respondent's Disclosure of Primary Witnesses	1/3/2024
Disclosure of Rebuttal Witnesses	2/21/2024
Deadline for Filing Motion to Adjust Trial Date	3/20/2024
Discovery Cutoff	4/24/2024
Exchange of Witness and Exhibit Lists and Documentary Exhibits	5/8/2024
Deadline to file Certificate or Declaration re: Alternative Dispute Resolution	5/15/2024
Deadline for Hearing Dispositive Pretrial Motions	5/15/2024
Joint Statement of Evidence	5/15/2024
Pretrial Conference	Week of 5/29/2024
Trial	6/12/2024 9:00

NOTICE TO PLAINTIFF/PETITIONER


If the case has been filed, the plaintiff shall serve a copy of the Case Schedule on the defendant(s) with the summons and complaint/petition: Provided that in those cases where service is by publication the plaintiff shall serve the Case Schedule within five (5) court days of service of the defendant's first response/appearance. If the case has not been filed, but an initial pleading is served, the Case Schedule shall be served within five (5) court days of filing. See PCLR 3.

A FREE LINX account is required in order to access electronic services (including e-filing, e-service, order submissions, etc). You can setup your free LINX account here: <https://www.piercecountywa.gov/374/E-Filing>

NOTICE TO ALL PARTIES

All attorneys and parties shall make themselves familiar with the Pierce County Local Rules, particularly those relating to case scheduling. Compliance with the scheduling rules is mandatory and failure to comply shall result in sanctions appropriate to the violation. If a statement of arbitrability is filed, PCLR 3 does not apply while the case is in arbitration.

Dated: June 14, 2023



Judge Susan B. Adams
Department 11

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON

IN AND FOR THE COUNTY OF PIERCE

GLORIA P. WILSON,

Plaintiff,

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PETCO HEALTH AND WELLNESS
COMPANY, INC., a foreign corporation,
PETCO ANIMAL SUPPLIES, INC., a
foreign corporation, and PETCO ANIMAL
SUPPLIES STORES, INC., a foreign corporation,

Defendants.

Case No.: 23-2-07454-3

**DEFENDANTS PETCO HEALTH AND
WELLNESS, PETCO ANIMAL
SUPPLIES, INC. AND PETCO
ANIMAL SUPPLIES STORES, INC.'S
NOTICE OF APPEARANCE**

TO: Clerk of Court

AND TO: Plaintiff and her Counsel of Record

YOU, AND EACH OF YOU, WILL PLEASE TAKE NOTICE that Defendants PETCO HEALTH AND WELLNESS, PETCO ANIMAL SUPPLIES, INC. and PETCO ANIMAL SUPPLIES STORES, INC., without waiving any objection or affirmative defenses pursuant to CR 12 and Washington law, hereby enter its appearance in the above-captioned matter through the undersigned attorneys, and you are notified that service of all further pleadings, notices, documents, and other papers herein, exclusive of the original service or original process, may be had upon Defendants Petco by serving the undersigned attorneys of record at the address stated below:

1 Timothy L. Mitchell
2 Cruiser, Mitchell, Novitz, Sanchez, Gaston & Zimet, LLP
3 2522 N. Proctor St., #91
4 Tacoma, Washington 98406
5 (253) 509-1874
6 tmmitchell@cmlawfirm.com

7 Where authorized, service by electronic mail will only be accepted Monday through Friday,
8 8:00 a.m. through 5:00 p.m., Pacific Standard Time, exclusive of legal holidays.

9 Respectfully submitted, this 23rd day of June, 2023.

10 CRUSER, MITCHELL, NOVITZ,
11 SANCHEZ, GASTON & ZIMET, LLP

12 By: /s/ Timothy Mitchell
13 TIMOTHY L. MITCHELL, WSBA No. 57441
14 2522 N. Proctor St., #91
15 Tacoma, Washington 98406
16 (253) 509-1874
17 tmmitchell@cmlawfirm.com
18 Attorneys for Defendants Petco

CERTIFICATE OF SERVICE

I hereby declare under the penalty of perjury under the laws of the State of Washington that I have served a true and correct copy, except where noted, of the foregoing upon the individual(s) listed by the following means:

<u>Plaintiff's Counsel:</u> Joshua D. Anderson, Esq. Thomas J. Klusmeyer, Esq. David D. Glindmeyer, Esq. Anderson Law, PLLC 8520 182 nd Avenue East Bonney Lake, WA 98391 josh@jdandersonlaw.com tom@jdandersonlaw.com david@jdandersonlaw.com	<input checked="" type="checkbox"/> U.S. Postal Service (First Class) <input type="checkbox"/> Facsimile to <input type="checkbox"/> _____ Express Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Via Legal Messenger <input checked="" type="checkbox"/> E-Mail <input checked="" type="checkbox"/> E-service via the Court
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SIGNED at Tacoma, Washington, on this 23rd day of June, 2023.

CRUSER, MITCHELL, NOVITZ,
SANCHEZ, GASTON & ZIMET, LLP

By: /s/ Timothy Mitchell
TIMOTHY L. MITCHELL, WSBA No. 57441
2522 N. Proctor St., #91
Tacoma, Washington 98406
(253) 509-1874
tmitchell@cmlawfirm.com
Attorneys for Defendants Petco

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON

IN AND FOR THE COUNTY OF PIERCE

GLORIA P. WILSON,

Plaintiff,

v.

PETCO HEALTH AND WELLNESS
COMPANY, INC., a foreign corporation,
PETCO ANIMAL SUPPLIES, INC., a
foreign corporation, and PETCO ANIMAL
SUPPLIES STORES, INC., a foreign corporation,

Case No.: 23-2-07454-3

**DEFENDANTS' ANSWER TO
PLAINTIFF'S COMPLAINT**

COME NOW, PETCO HEALTH AND WELLNESS COMPANY, INC., PETCO
ANIMAL SUPPLIES, INC. and PETCO ANIMAL SUPPLIES STORES, INC. ("PETCO"),
defendants in the above-referenced civil action, and hereby answer Plaintiff's Complaint as
follows:

I. PARTIES, JURISDICTION, AND VENUE

1.1 Defendants can neither admit nor deny the allegations contained within
Paragraph 1.1 of Plaintiff's Complaint for want of knowledge or information sufficient to form
a belief as to the truth thereof and puts Plaintiff upon strict proof of the same.

1.2 Defendants deny the allegations contained within Paragraph 1.2 of Plaintiff's
Complaint.

1.3 Defendants deny the allegations contained within Paragraph 1.3 of Plaintiff's
Complaint.

1.4 Defendants admit the allegations contained within Paragraph 1.4 of Plaintiff's Complaint.

1.5 Defendants can neither admit nor deny the allegations contained within Paragraph 1.5 of Plaintiff's Complaint for want of knowledge or information sufficient to form a belief as to the truth thereof and puts Plaintiff upon strict proof of the same.

1.6 Defendants admit the allegations contained within Paragraph 1.6 of Plaintiff's Complaint.

II. FACTS

2.1 Defendants can neither admit nor deny the allegations contained within Paragraph 2.1 of Plaintiff's Complaint for want of knowledge or information sufficient to form a belief as to the truth thereof and puts Plaintiff upon strict proof of the same.

III. DUTY, BREACH, AND PROXIMATE CAUSE

3.1 Defendants can neither admit nor deny the allegations contained within Paragraph 3.1 of Plaintiff's Complaint to the extent they call for a legal conclusion and puts Plaintiff upon strict proof of the same.

3.2 Defendants deny the allegations contained within Paragraph 3.2 of Plaintiff's Complaint.

3.3 Defendants deny the allegations contained within Paragraph 3.3 of Plaintiff's Complaint.

3.4 Defendants deny the allegations contained within Paragraph 3.4 of Plaintiff's Complaint.

3.5 Defendants deny the allegations contained within Paragraph 3.5 of Plaintiff's Complaint.

IV. DAMAGES

4.1 Defendants deny the allegations contained within Paragraph 4.1 of Plaintiff's Complaint.

1 4.2 Defendants can neither admit nor deny the allegations contained within
2 Paragraph 4.2 of Plaintiff's Complaint for want of knowledge or information sufficient to form
3 a belief as to the truth thereof and puts Plaintiff upon strict proof of the same.

4 Defendants deny that Plaintiffs are entitled to the relief sought in the "Wherefore"
5 Paragraph of Plaintiffs' Complaint.

6 Defendants deny all other allegations contained within Plaintiffs' Complaint not
7 otherwise responded to.

8 **FIRST AFFIRMATIVE DEFENSE**

9 Defendants raise the defense of comparative and contributory fault.

10 **SECOND AFFIRMATIVE DEFENSE**

11 Defendants allege that the sole and proximate cause of the circumstances and events
12 complained of by Plaintiff in her Complaint was due to the acts or omissions of persons and
13 entities other than Defendants. Pursuant to RCW 4.22.070, Defendants request the trier of fact
14 apportion the fault of all persons, parties, or entities involved herein, and all non-parties, with
15 the resultant reduction in Defendants' alleged liability, if any.

16 **THIRD AFFIRMATIVE DEFENSE**

17 Defendants raise the defense of assumption of risk.

18 **FOURTH AFFIRMATIVE DEFENSE**

19 Discovery may reveal that Plaintiff failed to mitigate her alleged injuries and/or damages,
20 or that that Plaintiff's alleged injuries and/or damages were caused in whole or in part by pre-
21 existing conditions, or other contributory or concurrent conditions or factors including events
22 occurring prior or subsequent to the events which are the subject of this lawsuit.

23 **FIFTH AFFIRMATIVE DEFENSE**

24 Defendants raise the defense of misnomer and real party in interest.

25 **SIXTH AFFIRMATIVE DEFENSE**

26 Defendants may be entitled to certain defenses of which it is not yet aware. Defendants
27 reserve the right to plead those defenses at a later time, and to reserve the right to amend its

1 answer to add additional and further defenses, counterclaims, cross-claims, and/or third-party
2 claims as may be warranted by the facts or clarified through discovery.

3 WHEREFORE, having fully answered Plaintiff's Complaint, Defendants pray for the
4 following relief: That Plaintiff's Complaint be dismissed with prejudice and without recovery,
5 for reasonable costs and disbursements incurred herein and for such other and further relief as
6 this court deems fit and proper.

7
8 Respectfully submitted, this 6th day of July, 2023.

9 CRUSER, MITCHELL, NOVITZ,
10 SANCHEZ, GASTON & ZIMET, LLP

11 By: /s/ Timothy Mitchell
12 TIMOTHY L. MITCHELL, WSBA No. 57441
13 2522 N. Proctor St., #91
14 Tacoma, Washington 98406
15 (253) 509-1874
16 tmitchell@cmlawfirm.com
17 Attorneys for Defendants Petco
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CERTIFICATE OF SERVICE

I hereby declare under the penalty of perjury under the laws of the State of Washington that I have served a true and correct copy, except where noted, of the foregoing upon the individual(s) listed by the following means:

<u>Plaintiff's Counsel:</u> Joshua D. Anderson, Esq. Thomas J. Klusmeyer, Esq. David D. Glindmeyer, Esq. Anderson Law, PLLC 8520 182 nd Avenue East Bonney Lake, WA 98391 josh@jdandersonlaw.com tom@jdandersonlaw.com david@jdandersonlaw.com	<input checked="" type="checkbox"/> U.S. Postal Service (First Class) <input type="checkbox"/> Facsimile to <input type="checkbox"/> _____ Express Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Via Legal Messenger <input checked="" type="checkbox"/> E-Mail <input checked="" type="checkbox"/> E-service via the Court
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SIGNED at Tacoma, Washington, on this 6th day of July, 2023.

CRUSER, MITCHELL, NOVITZ,
SANCHEZ, GASTON & ZIMET, LLP

By: /s/ Timothy Mitchell
TIMOTHY L. MITCHELL, WSBA No. 57441
2522 N. Proctor St., #91
Tacoma, Washington 98406
(253) 509-1874
tmitchell@cmlawfirm.com
Attorneys for Defendants Petco

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7 **IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON**
8 **IN AND FOR THE COUNTY OF PIERCE**

9 GLORIA P. WILSON,

10 Plaintiff,

11 v.

12 PETCO HEALTH AND WELLNESS
13 COMPANY, INC., a foreign corporation,
14 PETCO ANIMAL SUPPLIES, INC., a
foreign corporation, and PETCO ANIMAL
SUPPLIES STORES, INC., a foreign corporation,

Case No.: 23-2-07454-3

**DEFENDANTS' FIRST SET OF
INTERROGATORIES AND
REQUESTS FOR PRODUCTION OF
DOCUMENTS TO PLAINTIFF**

15 TO: Gloria P. Wilson, Plaintiff;
16
17 AND TO: Plaintiff's attorneys of record.

18 In accordance with Court Rule 33 and 34 of the Superior Court Civil Rules, State of
19 Washington, please answer each of the following interrogatories and requests for production
20 separately and fully, in writing, under oath, unless there is some objection to an interrogatory or
21 request, in which case please state the reason for the objection. The answers are to be signed by
the person to whom they are addressed, and the objections are to be signed by the attorney, making
the objection. The answers and any objections must be returned to the undersigned attorneys
within thirty days after the service of the interrogatories and requests.

22 These interrogatories and requests are intended to be continuing in nature and any
23 information that is discovered by you subsequent to the service and filing of your answers must be
supplemented as required by CR 26 (e) within a reasonable time following discovery.

{SECURE Firm/88010/00002/DISC/04092251.DOCX }

DEFENDANTS' FIRST SET OF INTERROGATORIES
AND REQUESTS FOR PRODUCTION OF DOCUMENTS
TO PLAINTIFF (PAGE 1 OF 15)

**CRUSER, MITCHELL, NOVITZ,
SANCHEZ, GASTON & ZIMET, LLP**
2522 N. Proctor St., #91
Tacoma, Washington 98406
(253) 509-1874

DEFINITIONS

1. The term “**address**” or “**location**” as hereinafter used in these interrogatories and requests shall mean the last known address or location giving the street number, street, city, state, and telephone number.

2. The term “**you**”, “**your**”, “**plaintiff**” or “**plaintiffs**” as used hereinafter in these interrogatories and requests shall mean all parties to whom these interrogatories and requests are directed, as well as any and all minor children of such person. In the event there are two or more plaintiffs, each plaintiff is to treat the Interrogatory or request as it applies to each plaintiff, and where the answers are inconsistent and/or different, such information should be included in the answer.

3. The term “**document**” means any writing or recording as defined by Evidence Rule 1001.

4. The term “**identify**” when used in reference to any individual person means to state his/her full name, present address and phone number, his/her position, business affiliation, address and phone number at the time to which the applicable Interrogatory pertains and at the present, if different.

5. The term “**identify**” when used in reference to a document or writing means to state the date, author (or, if different, signers), the type of document or writing (e.g., letter, memorandum, etc.), the company, entity or person who prepared it, the person from whom it was obtained, the person who sent it, the person receiving it, the company, entity and/or individual having possession of it, and all other specifics necessary to identify the documents or writings with sufficient particularity to support a motion for production pursuant to the Rules of Civil Procedure. If any document or writing was, but is no longer in your possession or subject to your control, state what disposition was made of it, and the reason for such disposition.

6. In lieu of such identification, you may furnish copies of such documents, writings or statements at the time you file answers to these interrogatories, or may make the documents available to respondents for inspection or copying.

7. If you are claiming that any document is privileged, please identify as provided in paragraph 5.

INTERROGATORIES

SECTION I – BACKGROUND

Interrogatory No. 1: Please state your full name, present address, date of birth and social security number. Also state all other names by which you have been known and the places and inclusive dates when each such name was used.

{SECURE Firm/88010/00002/DISC/04092251.DOCX }

DEFENDANTS' FIRST SET OF INTERROGATORIES
AND REQUESTS FOR PRODUCTION OF DOCUMENTS
TO PLAINTIFF (PAGE 2 OF 15)

CRUSER, MITCHELL, NOVITZ,
SANCHEZ, GASTON & ZIMET, LLP
2522 N. Proctor St., #91
Tacoma, Washington 98406
(253) 509-1874

1 **Answer:**

2
3 **Interrogatory No. 2:** Please state the name and current address of your spouse and any former
4 spouses, the dates of any marriages and the names, addresses and ages of any children.

5 **Answer:**

6
7 **Interrogatory No. 3:** Please state the name, address and telephone number of each high school,
8 college, university, graduate school, vocational school, and all other schools you attended,
9 including the years attended.

10 **Answer:**

11
12 **Interrogatory No. 4:** Please list the name and address of each health care insurer from whom you
13 have had health care insurance at any time during the last ten years, including the years insured,
14 policy numbers, group numbers, and all other pertinent identifying information.

15 **Answer:**

16
17 **Interrogatory No. 5:** Please state whether you have you ever been convicted of or pled guilty to
18 a crime, including in your answer the date of each such conviction or plea, the place and name of
19 the court, the crime involved and the sentence rendered.

20 **Answer:**

SECTION II - OTHER ACCIDENTS

Interrogatory No. 6: Please list all other accidents or incidents you have been involved in, including the date of each accident or incidents, whether or not injury was sustained, prior to and since the subject incident. Please indicate in your answer which accidents you sustained injuries in, a description of those injuries, and where you treated for those injuries.

Answer:

SECTION III - MEDICAL INFORMATION

Interrogatory No. 7: Please list any and all injuries, diseases or disabilities involving pain, limitation of motion, weakness or disability, from which you have suffered in the past, apart from those alleged to be the result of the subject accident, and who you treated with for these issues.

Answer:

Interrogatory No. 8: Please list the name, address, telephone number and type of provider or medical specialty of any doctor, physical therapist, osteopath, chiropractor, psychologist, hospital or other health care provider who has treated or examined you for any reason in the ten (10) years preceding the accident, the dates of treatment, and the purpose and nature of the treatment or other service.

Answer:

1 **Interrogatory No. 9:** Describe specifically all injuries, physical, mental and emotional complaints
2 that you claim to have sustained as a result of the accident involved in this action.

3 **Answer:**
4

5 **Interrogatory No. 10:** Please list the name, address and telephone number of each doctor,
6 physical therapist, osteopath, chiropractor, psychologist, mental health counselor or health care
7 provider who has treated or examined you for any reason whatsoever from the date of the subject
8 accident to date.

9 **Answer:**
10

11 **Interrogatory No. 11:** With regard to any injuries you sustained in the accident, state the date
12 that you fully recovered from the mental, emotional and physical injuries and/or describe each
13 physical, mental or emotional complaint alleged to still be present.

14 **Answer:**
15
16

17 **Interrogatory No. 12:** Please describe all activities which you allege you can no longer engage
18 in because of the injuries allegedly sustained in this case.

19 **Answer:**
20
21
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23

SECTION IV - EMPLOYMENT

Interrogatory No. 13: Please list the names, addresses and telephone numbers of each of your employers (including self-employment) for the last five years, the dates of each employment, as well as your job duties for each employer.

Answer:

Interrogatory No. 14: If you are making a claim for loss of income or earning capacity as a result of the subject accident, state all facts upon which you base your claim that you have lost income or earning capacity because of the subject accident, the total amount of income or earning capacity lost to date and how that amount was calculated.

Answer:

SECTION V - SUBJECT ACCIDENT

Interrogatory No. 15: In your own words, please describe how the accident occurred and the events which took place immediately afterwards.

Answer:

Interrogatory No. 16: Please list the names, addresses and telephone numbers of all eyewitnesses to the subject accident.

Answer:

Interrogatory No. 17: Please list the names, addresses and telephone numbers of all persons, not previously listed who have knowledge of any facts regarding liability or damages. For each person, please provide a brief summary of their knowledge of the relevant facts.

Answer:

Interrogatory No. 18: Identify the user name and email address for any Facebook, Myspace, or Twitter account maintained by you from the date of the incident through the present. Identify the user name, registration information, account detail, login information, or any other identifying information for any social media websites for which you are (or were) registered or of which you are (or were) a member, including but not limited to: Facebook, Myspace, Twitter from the date of the incident through the present.

Answer:

SECTION VI – EXPERTS AND HEALTH CARE PROVIDERS

Interrogatory No. 19: State the name, address and telephone number of each person you expect to call as an expert witness or health care provider witness at trial or arbitration, the witness' area of expertise or specialty practice, educational background, including the names and addresses of each school attended, years of attendance, and certificates received, the substance of the facts and opinions to which the witness is expected to testify, and a summary of the grounds for each such opinion.

{SECURE Firm/88010/00002/DISC/04092251.DOCX }

DEFENDANTS' FIRST SET OF INTERROGATORIES
AND REQUESTS FOR PRODUCTION OF DOCUMENTS
TO PLAINTIFF (PAGE 7 OF 15)

**CRUSER, MITCHELL, NOVITZ,
SANCHEZ, GASTON & ZIMET, LLP**
2522 N. Proctor St., #91
Tacoma, Washington 98406
(253) 509-1874

1 **Answer:**

2
3 **SECTION VII - DAMAGES**

4 **Interrogatory No. 20:** Set forth an itemized statement of all economic damages, past and future,
5 which you attribute to the subject accident including, but not limited to, medical expenses.

6 **Answer:**

7
8 **Interrogatory No. 21:** Please list the amount of non-economic damages, past and future, you are
9 claiming in this matter.

10 **Answer:**

11
12 **Interrogatory No. 22:** If you have ever received any health or accident insurance benefits,
13 disability benefits, Social Security benefits, a pension or compensation award or worker's
14 compensation benefits, for any reason, including this accident, from any agency, company, person,
15 corporation, state or other government agency or branch, state with respect to each benefit
16 received, the date of any such benefits, by whom they were paid, and what they were in respect of.

17 **Answer:**

18
19 **Interrogatory No. 23:** Please list with specificity each specific act by each Defendant that was
20 negligent in connection with this matter.

21
22 **Answer:**

23 {SECURE Firm/88010/00002/DISC/04092251.DOCX }

1 **Interrogatory No. 24:** Please describe the alleged hazard and identify how long it had existed at
2 the time of the incident.

3 **Answer:**
4
5

6 **Interrogatory No. 25:** Please list with specificity the knowledge that Defendant had regarding
7 the alleged hazard.

8 **Answer:**
9
10

11 **REQUESTS FOR PRODUCTION OF DOCUMENTS**

12 **Request for Production No. 1:** Please produce copies of your complete income tax returns for the
13 past five years. Also include copies of all W-2s, partnership and 1099 forms filed by plaintiff during
14 the past five years.

15 **Response:**
16

17 **Request for Production No. 2:** Please produce any and all documents evidencing income loss,
18 including lost opportunities, for which you are making a damage claim in this lawsuit.

19 **Response:**
20

21 **Request for Production No. 3:** Please produce copies of all written and/or recorded statements
22 made by you, defendants, witnesses or any other parties herein related to the accident, this lawsuit,
23 or your damages.

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DEFENDANTS' FIRST SET OF INTERROGATORIES
AND REQUESTS FOR PRODUCTION OF DOCUMENTS
TO PLAINTIFF (PAGE 9 OF 15)

CRUSER, MITCHELL, NOVITZ,
SANCHEZ, GASTON & ZIMET, LLP
2522 N. Proctor St., #91
Tacoma, Washington 98406
(253) 509-1874

1 **Response:**

2
3 **Request for Production No. 4:** Please produce color copies of all photographs, motion pictures,
4 and videotapes in any way relating to the accident alleged herein, including, without limitation, any
5 photographs made of the plaintiff, the accident, and the vehicles involved.

6 **Response:**

7
8 **Request for Production No. 5:** Please produce copies of all medical bills, medical records, repair
9 bills, and other bills and records that are related to any injuries claimed and/or alleged as special
10 damages in this action.

11 **Response:**

12
13 **Request for Production No. 6:** Please produce copies of all repair estimates obtained regarding
14 property damaged in the subject accident, including, but not limited to, vehicle repair estimates.

15 **Response:**

16
17 **Request for Production No. 7:** Please produce copies of all documents or written reports
18 addressed to or from you, your attorneys, or representatives and your treating physicians relating to
19 the subject accident.

20
21 **Response:**

22
23 {SECURE Firm/88010/00002/DISC/04092251.DOCX }

DEFENDANTS' FIRST SET OF INTERROGATORIES
AND REQUESTS FOR PRODUCTION OF DOCUMENTS
TO PLAINTIFF (PAGE 10 OF 15)

CRUSER, MITCHELL, NOVITZ,
SANCHEZ, GASTON & ZIMET, LLP
2522 N. Proctor St., #91
Tacoma, Washington 98406
(253) 509-1874

1 **Request for Production No. 8:** To the extent not provided in response to the previous Request for
2 Production, please produce copies of all documents or written reports addressed to or from you,
3 your attorneys or representatives and each person you expect to call as a witness at trial.

4 **Response:**
5

6 **Request for Production No. 9:** Please produce copies of all curriculum vitae, retainer agreements
7 and rate sheets for each expert witness or medical professional that you expect to call as a witness
8 at trial.

9 **Response:**
10

11 **Request for Production No. 10:** Please produce any and all calendars, diaries or other items,
12 which document the occurrence of any and all symptoms, injuries or other physical or emotional
13 effects experienced by you since the accident, which is the subject of this lawsuit. If you will do so,
14 please compile that information into a clearly readable and understandable form.

15 **Response:**
16

17 **Request for Production No. 11:** Please produce copies of any and all records reviews and reports
18 of independent medical examinations that were done at the request of any entity paying benefits to
19 or on your behalf as a result of the subject accident.

20 **Response:**
21

22 **Request for Production No. 12:** Produce copies of all documents which pertain to any of the
23 answers you have given to the previous interrogatories.

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DEFENDANTS' FIRST SET OF INTERROGATORIES
AND REQUESTS FOR PRODUCTION OF DOCUMENTS
TO PLAINTIFF (PAGE 11 OF 15)

CRUSER, MITCHELL, NOVITZ,
SANCHEZ, GASTON & ZIMET, LLP
2522 N. Proctor St., #91
Tacoma, Washington 98406
(253) 509-1874

1 **Response:**

2
3 **Request for Production No. 13:** Produce copies of your medical records for the past 10 years.

4 **Response:**

5
6 **Request for Production No. 14:** For each Facebook account maintained by you, please produce
7 your account data from the date of the incident through present. You may download and print your
8 Facebook data by logging onto your Facebook account, selecting “Account Settings” under the
9 “Account” tab on your homepage, clicking on the “learn more” link beside the “Download Your
10 Information” tab, and following the directions on the “Download Your Information” page.
11

12 **Response:**

13
14
15 **Request for Production No. 15:** Produce all photographs in your possession including family
16 albums or digital photo libraries which depict any vacations, trips, functions, holidays, or
17 celebrations at which you were present or in which you participated since the accident described
18 in your complaint.

19 **Response:**

20
21 **Request for Production No. 16:** Please produce all documents that evidence or are related to
22 your allegation that any Defendant was negligent in connection with this loss.
23

Response:

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DEFENDANTS' FIRST SET OF INTERROGATORIES
AND REQUESTS FOR PRODUCTION OF DOCUMENTS
TO PLAINTIFF (PAGE 12 OF 15)

CRUSER, MITCHELL, NOVITZ,
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2522 N. Proctor St., #91
Tacoma, Washington 98406
(253) 509-1874

Request for Production No. 17: Please produce all documents that evidence or are related to your allegation that a hazard existed at the time of loss.

Response:

Request for Production No. 18: Please produce all documents that evidence or are related to your allegation that Defendant had knowledge that an alleged hazard existed at the time of loss.

Response:

This 6th day of July, 2023.

CRUSER, MITCHELL, NOVITZ,
SANCHEZ, GASTON & ZIMET, LLP

By: /s/ Timothy L. Mitchell
TIMOTHY L. MITCHELL, WSBA No. 57441
2522 N. Proctor St., #91
Tacoma, Washington 98406
(253) 509-1874
tmitchell@cmlawfirm.com
Attorneys for Defendants

ATTORNEY'S CERTIFICATION

I certify as attorney of record for the party giving the above responses to discovery requests that all answers and objections are in accordance with the requirements of CR 26(g).

DATED this _____ day of _____, 2023.

By: _____
David D. Glindmeyer, Esq.
Attorney for Plaintiff

DECLARATION OF PLAINTIFF

I, Gloria P. Wilson, declare and state as follows:

My name is Gloria P. Wilson. I am over 18 years of age, competent to testify herein and make this declaration from personal knowledge and belief.

I am a party to the above-entitled lawsuit. I have read the foregoing discovery responses, know the contents thereof and believe the same to be true.

The undersigned declares that the contents of this declaration are true under the penalty of perjury according to the laws of the State of Washington.

Executed in _____, Washington, this _____ day of _____, 2023.

GLORIA P. WILSON

CERTIFICATE OF SERVICE

I hereby declare under the penalty of perjury under the laws of the State of Washington that I have served a true and correct copy, except where noted, of the foregoing upon the individual(s) listed by the following means:

<p><u>Plaintiff's Counsel:</u></p> <p>Joshua D. Anderson, Esq. Thomas J. Klusmeyer, Esq. David D. Glindmeyer, Esq. Anderson Law, PLLC 8520 182nd Avenue East Bonney Lake, WA 98391 josh@jdandersonlaw.com tom@jdandersonlaw.com david@jdandersonlaw.com</p>	<p><input checked="" type="checkbox"/> U.S. Postal Service (First Class) <input type="checkbox"/> Facsimile to <input type="checkbox"/> _____ Express Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Via Legal Messenger <input checked="" type="checkbox"/> E-Mail <input type="checkbox"/> E-service via the Court</p>
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SIGNED at Tacoma, Washington, on this 6th day of July, 2023.

CRUSER, MITCHELL, NOVITZ,
SANCHEZ, GASTON & ZIMET, LLP

By: /s/ Timothy L. Mitchell
TIMOTHY L. MITCHELL, WSBA No. 57441
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